



WASHINGTON STATE SUPREME COURT

Gender and Justice Commission

ANNUAL REPORT



2001-2002

Gender and Justice Commission

http://www.courts.wa.gov/programs_orgs/

MISSION

The mission of the Gender and Justice Commission is to promote gender equality in the system of law and justice through:

- ♦ Education;
- ♦ Coordination and cooperation with other organizations; and
- ♦ Programs and projects designed to eliminate gender discrimination and bias.

MEMBERSHIP

The Washington State Supreme Court appoints the Commission chair and members. Maximum Commission membership is 21 representatives from among the following: courts of appeals, trial courts, bar associations, clerks of courts, attorneys, trial court administrators, college or university professors, citizens, and the Administrative Office of the Courts.

FUNDING AND STAFFING

The Commission is funded by the Washington State Legislature through the Administrative Office of the Court's (AOC) budget, augmented by federal grants. The Commission has .5 FTE staff and secretarial support from the AOC.



*Published by the Administrative
Office of the Courts
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Olympia, WA 98504-1170*

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From left to right, in the front row are 2002 Commission members Justice Mary Fairhurst, Justice Barbara Madsen, Mary Pontarolo, Judge Ann Schindler; in the 2nd row are Judge Linda Tompkins, Eileen Concannon, Helen Donigan, Lourdes Fuentes, Sandra Matheson; in the back row are Gloria Hemmen, Tom Fallquist, Judge Jim Riehl, Lindsay Thompson, Judge Marlin Appelwick, and Judge Ruth Reukauf. Missing are Judie Fortier, Kathy Franklin, and Jennefer Henson.

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Annual Report

To: Governor Gary Locke
Chief Justice Gerry Alexander
Members of the Washington State Judiciary
Members of the Washington State Legislature
Citizens of Washington State

From: Barbara A. Madsen, Gender and Justice Commission Chair

RE: Report on the Work of the Gender and Justice Commission



BARBARA A. MADSEN
*Gender and Justice
Commission Chair*

The Washington State Gender and Justice Commission is pleased to provide this report on our continuing efforts to achieve and maintain gender fairness in the state court system. We are proud to be one of the few states in the country that has had continuous Supreme Court sponsorship for programs and projects designed to ensure equal justice for men and women in the courts. Our cultural norm has changed in the past fifteen years through education, establishment of gender fairness, diversity, and equality committees in judicial and legal associations, and actions by the Commission on Judicial Conduct. However, biases still exist and, as society changes, continuing education is necessary to expand our awareness of gender and cultural issues that impact the court community.

During 2001-2002, the Washington State Supreme Court Gender and Justice Commission continued to implement its mission and undertook new Violence Against Women Act (VAWA) grant-funded projects. Highlights of the Commission's work include presenting national model judicial education programs, providing resource materials to judicial officers, court administrators, and advocates, continuing work with communities to implement local domestic violence summits, and coordination with other organizations on research, education, and changes to promote equity in the court system. We are particularly proud of the presentation at the 45th Annual Judicial Conference of a national model education program, *Unintended Consequences: Removing Obstacles to Justice for Immigrants in the Courts*.

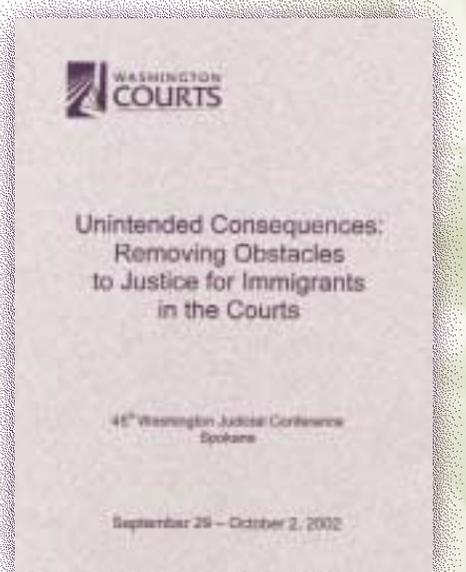
Much progress has been made to eliminate bias in our legal system. However, since there will always be new judges on the bench, new attorneys in court, new court personnel working with the public, and new laws passed in the Legislature, the Gender and Justice Commission needs to continue its work.

With the support of the Washington State Legislature and the Judiciary we will continue to implement our mission to promote gender equality in the system of law and justice. With continued state funding, federal grants, and collaboration with other groups, the Commission can continue to provide education programs and implement projects to achieve our goals.

We thank you for your past support and appreciate your continuing support!

“I have never participated in a committee or commission that has been so active and successful in their efforts. It’s a group that is recognized in this state as well as nationally and it’s a real honor to be part of it.”

***– Judge James Riehl
Kitsap County District Court,
Co-chair Board for Judicial
Administration (2001-2003),
Member American Bar
Association Commission
on Domestic Violence.***



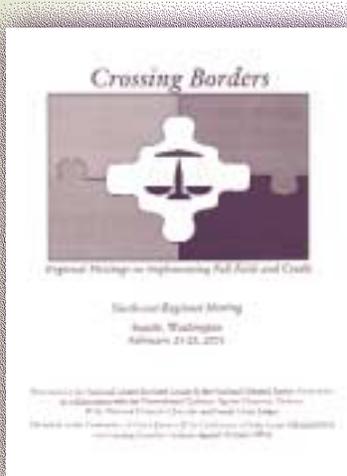
Overview of Gender and Justice Commission Work

Washington State 2001-2002

PROGRAMS AND RESOURCES

Crossing Borders: Full Faith and Credit for Foreign Domestic Violence Protection Orders

The Commission worked with the National Center for State Courts to facilitate *Crossing Borders: the Northwest Regional Meeting on Implementing Full Faith and Credit for Domestic Violence Protection Orders*, February 21-23, 2001 in Seattle. One hundred and sixty state and tribal court representatives from 10 states, Guam and the Mariana Islands met to discuss ways to improve the way courts handle state and tribal domestic violence protection orders. Following the meeting, the Commission committed to support the Washington State team with follow-up meetings and action plan implementation. Pilot projects are in place to facilitate the entry of tribal court protection orders into the State Judicial Information System (JIS) and to provide JIS information to tribal courts. Commission members participated in the Northwest Tribal Court Judges' Association regional meetings and state conference on Full Faith and Credit in 2002.



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Reception for Women of Color in the Law

The Commission sponsored a reception for Women of Color in the Law at the Supreme Court in March 2001. This first ever mentoring and networking opportunity was provided as a follow-up to the successful presentation of *When Bias Compounds: Women of Color in the Courts*, at the 43rd Annual Judicial Conference in 2000.



More than 100 judges, attorneys, law school professors, law clerks and students toured the Court, listened to comments from all nine Supreme Court justices, and received copies of the video and new lesson plan/discussion guide prepared for groups planning lunchtime programs based on the *When Bias Compounds* program.

When Bias Compounds: Women of Color in the Courts

A short version of the three-hour education program *When Bias Compounds: Women of Color in the Courts* was designed to accompany a six-minute videotape. The program was presented at the WSBA Young Lawyers Division Practice Conditions Forum in May 2002. Attorneys viewed the video and worked through scenarios to identify and resolve the unique bias facing women of color in the courts. The lesson plan and short video are available for the court community.

Domestic Violence Civil Legal Justice Summit

The Commission provided technical assistance for the *Domestic Violence Civil Legal Justice Summit* prior to the 2001 Access to Justice Conference. Using the responder equipment, summit participants identified the areas of greatest need and voted on priorities for action to improve provision of civil legal services for domestic violence victims.

The Domestic Violence Manual for Judges

The *Domestic Violence Manual for Judges* was revised in 2001 and distributed to all state judicial officers in June 2002. It is now online with other judicial resources on the Washington Courts' Extranet. This was the third edition of the manual since it was originally produced in 1992. The manual has received commendation from the American Bar Association Commission on Domestic Violence, which distributed copies to judges in the Virgin Islands and China.

"I was impressed and encouraged that all nine justices were present. Truly an inspiring event for this woman of color attorney!"

– Lorraine Lee

“This session opened my eyes to problems with immigration issues which I had not considered... I will spend more time discussing the possible consequences of convictions and sentencing to non-citizens in my courtroom.”

– *Judicial Conference Evaluation Comment*

Family Friendly Parenting Plans

Commission members worked with the Superior Court Judges’ Association to present *Family Friendly Parenting Plans* at the 44th Annual Judicial Conference, September 2001 in Tacoma. The program was a follow-up to the *Washington State Parenting Act Study, 1999*, a joint project with the Domestic Relations Commission.

Her Day in Court: Women Judges’ History Project Video and Lesson Plan

The Commission developed a lesson plan/ discussion guide to accompany the 28-minute video *Her Day in Court* for use during Women’s History Month. Copies were distributed to high school teachers attending the Council for the Social Studies Conference on October 12, 2001 in Edmonds. Presentations were made to local chapters of Washington Women Lawyers and other bar associations. In 2002, the video and lesson plan were broadly distributed to judges, Washington Women Lawyers, and the League of Women Voters. Copies of the videotape and lesson plan are available to the court community for educational purposes.

Unintended Consequences: Removing Obstacles to Justice for Immigrants in the Courts

Eighty judicial officers participated in *Unintended Consequences: Removing Obstacles to Justice for Immigrants in the Courts* at the 45th Annual Judicial Conference, October 2002 in Spokane. The Commission

worked with state and federal experts on immigration law, domestic violence, and interpreter issues to provide judges with a framework for ensuring justice for immigrants in court. Evaluations indicated judges highly valued the program and resource manual. The three-hour program was based on a model curriculum developed by the National Association of Women Judges.

A Violence Against Women Act grant provided scholarships for thirteen court commissioners to attend the program and funding to produce an additional 100 copies of the manual. Copies of the manual were made available to judicial officers unable to attend the program.

Local Domestic Violence Summits

Using the model developed by the Commission, one-day domestic violence summits were held in eastern Pierce County in 2001 and Mason County in 2002. Since 1996, the Commission has sponsored local domestic violence summits in ten communities across the state. At each summit, approximately 100 representatives of the courts, law enforcement, domestic violence advocates, health and treatment professionals, schools, churches, and service providers worked together to develop action plans tailored to their own communities.

Following the Pierce County Summit, Justice Madsen was asked to participate in *No One Is Untouched*, a three-part televised program to educate and inform citizens about domestic violence.



Immigrants in the Courts program facilitator, Justice Barbara Madsen and panel members: Grace Huang, Matt Adams, Ann Benson, and Marisol Meléndez.

Overview of Gender and Justice Commission Work, cont.

Glass Ceiling Survey Project

The Gender and Justice Commission worked with the Glass Ceiling Task Force of the King County Bar Association Gender Equality Committee, the Northwest Women's Law Center, Washington Women Lawyers, Washington State Trial Lawyers Association, Washington Women Defenders, and the Washington State Bar Association on the first gender and racial equity self-audit of law firms in Washington. Northwest Research Group, Inc. conducted the survey in 2001. It was designed to answer the following question: Based on objective data, what is the status of women and minority lawyers in private law firms in the State of Washington? The self-audit results were released in March 2002.



The results of the survey bear out the subjective view of its originators: While there has been progress in the status of women attorneys, they have not reached the same level of professional attainment, compensation, and firm governance as male attorneys. People of color similarly lag behind whites in the indicia of power and control within the legal profession.

The Final Report of the 2001 Self-Audit for Gender and Racial Equity can be downloaded from the Courts' website at <http://www.courts.wa.gov/committee/docs/Self-Audit.rtf>

The Commission continued support to the Glass Ceiling Task Force in the development of a "tool box" to assist law firms with policy and practice improvements, speakers for programs on the survey results, and the development of Glass Ceiling Continuing Legal Education (CLE) programs.

Civil Equal Access Survey

In 2002, the Washington State Supreme Court Civil Equal Access Task Force conducted a survey of unmet civil legal needs in Washington State. The Commission assisted with the project and requested questions be included about domestic violence and gender related issues.

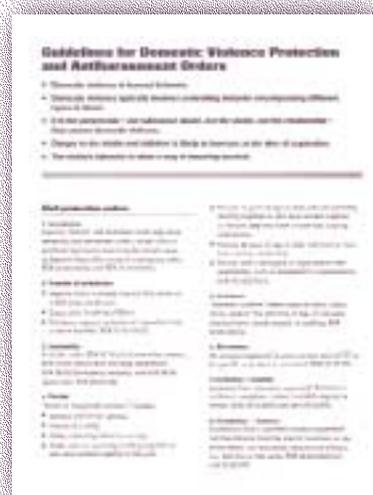
GRANT PROJECTS

Violence Against Women Act (VAWA) Grants

The Commission was awarded more than \$200,000 in federal Violence Against Women Act (VAWA) grants in 2001-2002 and successfully implemented a variety of projects.

Rural Domestic Violence and Child Victimization/Judicial Education Grants

In 2001 and 2002, grants provided additional staff to implement one-day education programs focused on the Domestic Violence Impact on Children: State and Tribal Responses. Workshops were presented in Grant, Lewis, San Juan, and Mason counties. In addition, a workgroup produced a 4-page laminated bench resource, the *Quick Guide to Domestic Violence and Antiharrassment Orders*. The bench card was distributed to all



Washington State judicial officers, court administrators, and domestic violence legal advocates. A downloadable version is available on the courts' website. See Self-help resources at <http://www.courts.wa.gov/dv>.

Scholarships for Advanced Judicial Education

VAWA grant funds provided scholarships for 48 judicial officers to attend the *National Judicial Institute Workshop: Enhancing Judicial Skills in Domestic Violence Cases* in 2000-2001. These three-day, advanced education programs in Santa Fe, San Francisco, and Boston were sponsored by the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund.

STOP Grant to the Courts

For the first time, in 2001, the Violence Against Women Act STOP Grant included a percentage of the total state award specifically for the courts. The Board for Judicial Administration authorized the Gender and Justice Commission to administer the \$125,067. Through a Request for Proposal (RFP) process, the Commission awarded one-year grants to five courts for domestic violence related projects.

1. Tacoma Municipal Court developed and provided mandatory one-day domestic violence training for attorneys who serve as pro-tem judges on domestic violence cases. Each pro-tem judge was provided a copy of the *Domestic Violence Manual for Judges* and Tacoma Municipal Court procedures.
2. Seattle Municipal Court created a Domestic Violence court informational brochure in eleven languages. The brochures were distributed to advocacy agencies and can be found at <http://www.cityofseattle.net/courts/prob/DVprob.htm>. They also sponsored a King County judicial workgroup on

“One specific direction I intend to take as a result of the conference is to schedule more review hearings from domestic violence cases to ensure greater compliance with the court order.”

***– Judge David Foscue
Grays Harbor Superior Court***

domestic violence issues which focused on conflicting court orders.

3. Clark County District Court worked with Washington State University to evaluate its current domestic violence court and design improvements. The court provided continuing domestic violence education and coordinated with the local YWCA to improve services to victims.
4. Island County Superior Court implemented a supervised visitation program for court-ordered visitation in cases where there has been domestic violence.
5. Whatcom County Superior Court created a domestic violence coordinated work group which included superior, district, and municipal court judges. They produced the *Judicial Resource Guidelines for Domestic Violence Cases in Whatcom County*.

HONORS

Justice Barbara Madsen received the Vanguard Award from the King County Chapter of Women Lawyers at its annual Judicial Luncheon. Judge H. Joseph Coleman, Court of Appeals, Division 1, chair of the original Gender and Justice Task Force, 1987-1989, and Judith Ramseyer, chair of the Glass Ceiling Task Force, were honored at the same event.

In 2002, Commission member Mary Fairhurst was elected to the Washington State Supreme Court.

Washington State Supreme Court Gender and Justice Commission

COMMISSION MEMBERS 2001-2002

Honorable Barbara A. Madsen, Chair
Washington State Supreme Court

MEMBERS:

Honorable Marlin J. Appelwick
Court of Appeals, Division I
2001-2004

Honorable Patricia H. Clark
King County Superior Court
1998-2001

Ms. Eileen M. Concannon
Riddell Williams P. S.
2001-2004

Professor Helen Donigan
Gonzaga University School of Law
1999-2002

Ms. Esther L. Ervin
*Office of General Counsel,
Seattle Public Schools*
1998-2001

Honorable Mary E. Fairhurst
Washington State Supreme Court
2001-2003

Honorable Thomas R. Fallquist
Spokane County Clerk
2000-2003

Ms. Judie E. Fortier
Tacoma Women's Rights Office
2001-2004

Ms. Katherine Cooper Franklin
Little Mendelson
2000-2003

Ms. Lourdes Fuentes
MacDonald, Hoague, and Bayless
2002-2005

Honorable Gina Hale *
Office of Administrative Hearings
2001-2004

Ms. Jennefer Henson
Des Moines Municipal Court
2000-2003

Honorable C. Kimi Kondo *
Seattle Municipal Court
1998-2001

Honorable John Lovick *
House of Representatives
2000-2003

Ms. Sandra J. Matheson
*Management Advisory and
Consulting Services*
2001-2004

Ms. Mary Pontarolo
Safeplace
1999-2002

Honorable Ruth Reukauf
Yakima County District Court
2000-2002

Honorable James M. Riehl
Kitsap County District Court
2002-2003

Honorable J. Wesley Saint Clair*
King County District Court
1999-2002

Honorable Ann Schindler
Court of Appeals, Division I
2000-2003

Mr. Lindsay T. Thompson
Lindsay T. Thompson, P.C.
2002-2004

Honorable Linda G. Tompkins
Spokane County Superior Court
2000-2002

Ms. Gloria Hemmen,
Executive Director
Administrative Office of the Courts

** Resigned*